

SENATE No. 2637

The Commonwealth of Massachusetts

—
**In the One Hundred and Ninety-Second General Court
(2021-2022)**
—

SENATE, February 2, 2022.

The committee on Transportation, to whom was referred the petition (accompanied by bill, Senate, No. 2284) of Joanne M. Comerford for legislation relative to the Transportation Infrastructure Enhancement Trust Fund municipal reporting requirements, reports the accompanying bill (Senate, No. 2637).

For the committee,
John F. Keenan

SENATE No. 2637

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-Second General Court
(2021-2022)**

An Act relative to the Transportation Infrastructure Enhancement Trust Fund municipal reporting requirements.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. Section 8 of chapter 187 of the acts of 2016 is hereby amended by striking
2 out subsection (c) and inserting in place thereof the following subsection:-

3 (c) The division shall: (i) proportionately distribute ½ of the amount received from the
4 fund to a city or town based on the number of rides from the previous calendar year that
5 originated within that city or town to address the impact of transportation network services on
6 municipal roads, bridges and other transportation infrastructure or any other public purpose
7 substantially related to the operation of transportation network services in the city or town
8 including, but not limited to, the complete streets program established in section 1 of chapter 90I
9 of the General Laws and other programs that support alternative modes of transportation;
10 provided that, if the amount of the distribution to a city or town is \$25,000 or less, the chief
11 executive officer as defined in section 7 of chapter 4 of the General Laws, may expend such
12 funds for these purposes without further appropriation; (ii) distribute ¼ of the amount collected
13 to the Massachusetts Development Finance Agency established in section 2 of chapter 23G of

14 the General Laws to provide financial assistance to small businesses operating in the taxicab,
15 livery or hackney industries to encourage the adoption of new technologies and advanced
16 service, safety and operational capabilities and support workforce development; and (iii)
17 distribute $\frac{1}{4}$ of the amount collected to the Commonwealth Transportation Fund established in
18 section 2ZZZ of chapter 29 of the General Laws.

19 SECTION 2. Said section 8 of said chapter 187 is hereby further amended by striking out
20 subsection (d) and inserting in place thereof the following subsection:-

21 (d) (i) By December 31 of each year in which a city or town receives a disbursement of
22 more than \$25,000 from the Transportation Infrastructure Enhancement Trust Fund, that city or
23 town shall submit a report to the director of the division that details the projects and the amount
24 used or planned to be used for transportation-related projects as described in subsection (c). (ii)
25 By December 31 of the year in which a city or town receives a cumulative total of more than
26 \$25,000 in disbursements from the Transportation Infrastructure Enhancement Trust Fund since
27 its last report to director of the division, that city or town shall submit a report to the director of
28 the division that details the projects and the amount used or planned to be used for
29 transportation-related projects as described in subsection (c) for each disbursement from
30 Transportation Infrastructure Enhancement Trust Fund since the city or town's last report to the
31 director of the division.

32 (iii) For a city or town whose cumulative total disbursements from the Transportation
33 Infrastructure Enhancement Trust Fund have not exceeded \$25,000 in the five years since its last
34 report to the director of the division, that city or town shall submit a report to the director of the
35 division by December 31 of the fifth year since its last report to the director of the division. That

36 report shall detail the projects and the amount used or planned to be used for transportation-
37 related projects as described in subsection (c) for each annual disbursement from Transportation
38 Infrastructure Enhancement Trust Fund since the city or town's last report to the director of the
39 division.

40 (iv) The division shall withhold future disbursements from the Transportation
41 Infrastructure Enhancement Trust Fund from any city or town that does not comply with the
42 reporting requirements of this subsection (d). The withheld funds shall be disbursed when the
43 city or town complies with the requirements of this subsection (d).

44 (v) On an annual basis, the director shall compile the reports and post the projects and
45 amounts of money used on the website of the division.

46 SECTION 3. Section 9 of said chapter 187 is hereby amended by striking out said section
47 and inserting in place thereof the following section:-

48 Section 9. Section 8 is hereby amended by striking out subsection (c) and inserting place
49 thereof the following subsection:-

50 (c) The division shall: (i) proportionately distribute $\frac{1}{2}$ of the amount collected to a city or
51 town based on the number of rides from the previous calendar year that originated within that
52 city or town to address the impact of transportation network services on municipal roads, bridges
53 and other transportation infrastructure or any other public purpose substantially related to the
54 operation of transportation network services in the city or town including, but not limited to, the
55 complete streets program established in section 1 of chapter 90I of the General Laws and other
56 programs that support alternative modes of transportation; provided that, if the amount of the
57 distribution to a city or town is \$25,000 or less, the chief executive officer as defined in section 7

58 of chapter 4 of the General Laws, may expend such funds for these purposes without further
59 appropriation; and (ii) distribute $\frac{1}{2}$ of the amount collected to the Commonwealth Transportation
60 Fund established in section 2ZZZ of chapter 29 of the General Laws.